

SERVITUDE OF DRAIN

STATE PROJECT NO. _____

PARCEL NO(S). _____

SERVITUDE OF DRAIN

STATE OF LOUISIANA:

PARISH OF _____:

BE IT KNOWN, _____ (Insert S.S. No. or Federal I.D. No. after name) being hereinafter referred to as "Grantor", in consideration of the benefits, uses and advantage accruing to Grantor by reason of the location of the _____ (complete caption), and for and upon such other terms and conditions or considerations hereinafter expressed does hereby grant, transfer, assign, set over and deliver unto the Department of Transportation and Development of the State of Louisiana, herein represented by JAMES MELTON DOUSAY of said Department of Transportation and Development, authorized herein by Policy and Procedure Memorandum Number 44, dated August 24, 1977, as amended, issued by the Secretary of the Louisiana Department of Transportation and Development, being hereinafter referred to as the "Department", accepting and acknowledging delivery and possession for the Department of Transportation and Development, all and singular a Servitude of Drain on, over and across the following described property, to-wit:

DESCRIPTION

_____ (_____) permanent servitude(s) on, over and across _____ (____) certain tract(s) or parcel(s) of land, together with all the improvements situated thereon, _____*, situated in Section(s) _____ Township _____, Range _____, _____** Parish, Louisiana, identified as PARCEL NO(S). _____ as shown on Sheet No(s). _____ of the property map for STATE PROJECT NO. _____, _____ (Complete Caption), LOUISIANA, prepared by _____ (Name and Title), dated _____ (Revision date also), said map being attached hereto and made a part hereof, which property is more particularly described as follows:

*THIS BLANK WILL BE MUNICIPAL ADDRESS, LOT NUMBER, BLOCK NUMBER, OR OTHER KNOWN SUBDIVISION REFERENCES.

**THIS BLANK WILL REFER TO THE LAND DISTRICT (SUCH AS "GREENSBURG LAND DISTRICT") IF SUCH REFERENCE IS GIVEN ON THE RIGHT OF WAY MAP, AS WELL AS THE PARISH IN WHICH THE PROPERTY IS LOCATED.

DESCRIPTION PAGE FOR SERVITUDE OF DRAIN

The description of the property should be adequate and in accordance with the plans. It should also include a paragraph describing the recordation data of the acquisition documents through which the property was acquired by the Vendor.

- CLAUSES FOR INSERTION IN PROPERTY DESCRIPTION OF SERVITUDE OF DRAIN IF THERE ARE CONSTRUCTION SERVITUDE PARCELS. *The 1st paragraph goes before the parcel description(s) and the 2nd paragraph goes after the parcel descriptions(s), but before the acquisition data paragraph.*

Concomitant with the sale and transfer of the hereinabove described property, Grantor does also grant unto the Department _____ (____) temporary construction servitude(s) on, over and across Grantor's property to accommodate construction of the said State Project No. _____, and which temporary construction servitude(s) _____ (is or are) _____ described as follows:

It is understood and agreed by all parties that the Department's rights to the use of the above described temporary construction servitude(s) shall terminate upon the date of completion and final acceptance of State Project No. _____, and the property traversed thereby shall be left free of construction scars.

CONSIDERATION PAGE FOR SERVITUDE OF DRAIN

The Department is hereby authorized, in the construction and maintenance of said project, to remove from the property herein described earth and other material in accordance with usual construction and maintenance policies.

It is expressly understood that this grant and transfer of the above described servitude of drain is made solely for the construction and maintenance of the said transportation improvement and for such other purposes as may be authorized by the laws of the State of Louisiana, and is a conveyance of a servitude across the lands hereinabove described and not a conveyance of the full ownership thereto, and the Grantor by these presents especially does not transfer any right to oil and gas minerals lying beneath the area herein subjected to said servitude for drainage purposes; it being specifically understood, however, that while no exploration, drilling nor mining of oil or gas minerals of any kind shall be conducted upon the area covered by said servitude of drain, there may be directional drilling from adjacent lands to extract the oil or gas minerals from under the area subject to said servitude.

Grantor acknowledges and agrees that the consideration provided herein constitutes full and final settlement for the servitude of drain herein granted and for any and all diminution in the value of Grantor's remaining property as a result of the granting of this right of way for transportation purposes.

The Department shall pay unto Grantor for the servitude of drain hereby conveyed, upon approval by the Department of Grantor's title to the hereinabove property, free and clear of all

encumbrances of any kind or nature whatsoever, and in full settlement and satisfaction of any and all claims for damages resulting from the grant of said servitude of drain, the price and sum of _____(\$_____) DOLLARS.

ANY OPTIONAL CLAUSES FROM THE SALE FORM MAY BE ADDED TO A SERVITUDE OF DRAIN, BUT THE WORD "VENDOR" SHOULD BE CHANGED TO "GRANTOR".